

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: BOSTON SCIENTIFIC CORP.
PELVIC REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION

MDL No. 2326
Honorable Joseph R. Goodwin

Barbara Garcia and Paul Garcia

Plaintiff(s),

v.

CASE NO. 2:13-cv-23019

Boston Scientific Corporation

Defendant(s).

MOTION TO TRANSFER MDL

COME NOW the plaintiff(s), by and through the undersigned counsel, and move the court to transfer this member case from MDL 2326, In re: Boston Scientific Corp. Pelvic Repair System Products Liability Litigation, to:

MDL 2327 Ethicon, Inc., Pelvic Repair System Products Liability Litigation.

Plaintiff(s) herein filed a Complaint or Short Form Complaint in MDL 2326 against Boston Scientific Corp. and others. Plaintiff(s) later filed an Amended Complaint that no longer included Boston Scientific Corp. in that litigation; included instead, among others, were the following parties from MDL 2327 :

Ethicon, Inc.
Ethicon, LLC
Johnson & Johnson

Because Boston Scientific Corp. is no longer a named defendant in this member case, Plaintiff(s) respectfully request that the Court: 1) **GRANT** the Plaintiff(s) motion to transfer this civil action from MDL 2326 to 2327; and 2) direct the Clerk to disassociate this civil action as a member case in MDL 2326 and re-associate it with MDL 2327 .

/s/ Donald A. Migliori

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CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s/ Donald A. Migliori

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